

JP:NS

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

**M-11-646**

- - - - -X

UNITED STATES OF AMERICA

C O M P L A I N T

- against -

(21 U.S.C. §§ 952(a)  
and 960)

JHOMAL JOSE CASTRO ,

Defendant.

- - - - -X

EASTERN DISTRICT OF NEW YORK, SS:

ANDREW KAPPAUF, being duly sworn, deposes and states that he is a Special Agent of the United States Department of Homeland Security, Homeland Security Investigations, duly appointed according to law and acting as such.

Upon information and belief, on or about June 22, 2011, within the Eastern District of New York and elsewhere, defendant JHOMAL JOSE CASTRO did knowingly, intentionally and unlawfully import into the United States from a place outside thereof a substance containing heroin, a Schedule I controlled substance.

(Title 21, United States Code, Sections 952(a) and 960).

The source of your deponent's information and the grounds for his belief are as follows:<sup>1</sup>

1. On or about June 22, 2011, at approximately 9:42 a.m., JHOMAL JOSE CASTRO arrived at John F. Kennedy International Airport ("J.F.K. Airport") in Queens, New York, aboard Jet Blue flight #820 from Santo Domingo, Dominican Republic.

2. Defendant JHOMAL JOSE CASTRO was selected for a Customs and Border Protection ("CBP") enforcement examination. During the examination, the defendant exhibited nervous behavior. After a search of the defendant's checked luggage, CBP officers escorted the defendant to a private search room for a pat-down. An examination of the defendant's shoes indicated that the shoes were unusually thick and heavy. One of the defendant's shoes was probed revealing a brown powdery substance, which field-tested positive for the presence of heroin. Defendant JHOMAL JOSE CASTRO was then placed under arrest.

3. The total approximate gross weight of the heroin seized from the defendant JHOMAL JOSE CASTRO is 1268.7 grams.

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<sup>1/</sup> Because the purpose of this Complaint is to set forth only those facts necessary to establish probable cause, I have not described all the relevant facts and circumstances of which I am aware.

WHEREFORE, your deponent respectfully requests that  
defendant JHOMAL JOSE CASTRO be dealt with according to law.

  
ANDREW KAPPAUF

Special Agent

U.S. Department of Homeland Security  
Homeland Security Investigations

Sworn to before me this  
23rd day of June, 2011.

THE HONORABLE VIKTOR V. BOHORELSKY  
UNITED STATES MAGISTRATE JUDGE  
EASTERN DISTRICT OF NEW YORK